



MDE Action against Mid-Atlantic Finishing

Brian Coblentz

to:

Carol Amend, Ken Cox, Debbie Moody

04/03/2012 08:58 AM

Cc:

"Anthony Enweze", "Ed Dexter", "Eva Marcus"

Hide Details

From: "Brian Coblentz" <bcoblentz@mde.state.md.us>

To: Carol Amend/R3/USEPA/US@EPA, Ken Cox/R3/USEPA/US@EPA, Debbie Moody/R3/USEPA/US@EPA

Cc: "Anthony Enweze" <aenweze@mde.state.md.us>, "Ed Dexter" <edexter@mde.state.md.us>, "Eva Marcus" <emarcus@mde.state.md.us>

COMES
4/3/12
FAY MDE
N.O.V.
ISSUED
W/RE

3/14/12
closed out with Term D on
3/14/12. TRAINS ~~now~~ completed
on 2/26/12 and Reel updated
Reused Condenser Plan on 3/14/12.
All circulations are closed.
Hold file until end of March then send to
file room.

1 Attachment



A1.pdf

Good morning Carol, Ken and Debbie,

Attached is MDE's enforcement action against Mid-Atlantic Finishing Corporation. This was based on the EPA's referral to MDE to take the appropriate action against the RP. If you have any questions, please do not hesitate to contact me.

Have a great day,

Brian W. Coblentz
Chief, Compliance Division
Solid Waste Program/Land Management Administration
Maryland Department of the Environment (MDE)
(410) 537-3315

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MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Martin O'Malley
Governor

Robert M. Summers, Ph.D.
Secretary

Anthony G. Brown
Lieutenant Governor

NOTICE OF VIOLATION

MAR 30 2012

Mr. B.J. Mason
Mid-Atlantic Finishing Corp.
4656 Addison Rd.
Capitol Heights, MD 20743

RE: NOV-LMA-12-HAZ-198

Dear Mr. Mason,

On July 20, 2011, inspectors from the United States Environmental Protection Agency's Office of Land Enforcement (the "EPA") and the Maryland Department of the Environment's Land Management Administration (the "Administration") conducted a Compliance Evaluation Inspection of Mid-Atlantic Finishing Corp. to assess compliance with hazardous waste management requirements.

Based on the findings of this inspection, the Administration has determined that the facility was in violation of Maryland Law and the Code of Maryland Regulations (COMAR) concerning Controlled Hazardous Substances (CHS), and is issuing this **Notice of Violation** letter. The specific violations are:

- CHS was stored on-site for over 90 days without a Controlled Hazardous Substances Permit, in violation of Environment Article, Section 7-224, COMAR 26.13.07.01A, and 26.13.03.05E.

The facility did not meet the following conditions:

1. COMAR 26.13.03.05E (1) (e) - CHS container of F006 sludge in the hazardous waste storage area was not marked with an accumulation start date.
2. COMAR 26.13.03.05E (1) (f) - CHS container of F006 sludge in the hazardous waste storage area was not labeled or clearly marked with the words "Hazardous Waste".
3. COMAR 26.13.05.09D - CHS container of F006 sludge in the hazardous waste storage area was not closed.
4. COMAR 26.13.05.02G(4)(a-b) - Failure to provide job titles and job descriptions for employees who handle hazardous waste.
5. COMAR 26.13.03.02 - Failure to make a hazardous waste determination of florescent light bulbs.
6. COMAR 26.13.05.04D(1) - Failure to maintain a copy of the contingency plan at the facility.
7. COMAR 26.13.05.09E - Failure to provide weekly inspection or log records for the hazardous waste storage area.



Mr. B.J. Mason
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8. COMAR 26.13.03.05E(1)(a) – Failure to store CHS for 90 days or less.

It is the position of the Land Management Administration that conditions 1-8 listed above also violated the Annotated Code of Maryland, Environment Article, Section 7-224 and COMAR 26.13.03.05E which permits the storage of CHS for a period of 90 days without a CHS facility permit, providing the generator complies with all of the CHS management and storage requirements set forth in COMAR 26.13.03.05E.

State law permits the Administration to seek civil penalties of \$25,000.00 per day per violation for the violations described above. Since a subsequent inspection conducted on February 9, 2012 revealed that the facility has returned to compliance with applicable Maryland CHS regulations, the Administration has decided to seek a penalty in the amount of \$1,500.00 (One thousand five hundred dollars). If you choose to settle this matter, send a check for \$1,500.00 payable to the Maryland Hazardous Substance Control Fund within the next 30 days to:

Maryland Hazardous Substance Control Fund
Maryland Department of the Environment
P.O. Box 1417
Baltimore, Maryland 21203-1417

Please write the payment code, HAZ PCA 13703 Object 7548 Suffix 613, on the memo section of your check.

The parties agree that the violation(s) which are the basis for this NOV may be introduced as evidence in future actions, without objection, for the purpose of establishing a continued pattern or conduct of environmental violations and for determinations as to permits, licenses, and accreditations.

If you decline to settle, this matter may be referred to the Office of the Attorney General for further enforcement action. Please direct any questions or comments in this matter to Mr. Brian Coblentz, Division Chief, Compliance Division at (410) 537-3315.

Sincerely,



Horacio Tablada, Director
Land Management Administration

HT:

cc: Mr. Edward Dexter
Mr. Brian Coblentz
Mr. Baruch Onyekwelu